

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CR. NO. 04-80766

v.

HONORABLE PATRICK J. DUGGAN

CHRISTOPHER JOSE,

Defendant.

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ORDER FOR PSYCHOLOGICAL EXAMINATION

On October 1, 2008, the Defendant appeared before this Court with counsel regarding the pending Petition for Violation of Supervised Release. A determination as to Defendant's guilt has not yet been made. Based upon information received from the Probation Officer regarding Defendant's present mental health condition, the parties determined that a mental health evaluation was necessary to resolve the pending violation matters. The Court, upon the motion by the United States and there being no objection from the defendant's counsel, ordered that the Defendant undergo a psychiatric or psychological examination to determine his present mental health condition and status before proceeding with the Supervised Release Violation Petition, pursuant to 18 U.S.C. §4241(b) 18 U.S.C. §3552(b).

IT IS HEREBY ORDERED that Defendant shall be committed to the custody of the Attorney General for a psychiatric or psychological evaluation for a period not to exceed 30 days pursuant to 18 U.S.C. §4247 (b). The director of the facility performing the examination may apply for a reasonable extension of time, upon a showing of good cause

that the additional time is necessary to observe and evaluate the defendant. The time Defendant is in custody shall be credited to any sentence that may be imposed should the Court find the Defendant in violation of the terms of supervised release.

IT IS FURTHER ORDERED that the evaluation shall be conducted at the closest Federal Medical Correctional Institute, pursuant to 18 U.S.C. §§3552(b) and 4247(b), and that upon designation, the United States Marshals Service shall advise Defendant, his counsel and his Probation Officer of the location of the designated facility, and the date and time at which the Defendant shall self-report to the facility.

IT IS ALSO ORDERED that the examining psychiatrist or psychologist prepare, as soon a practical, a written report regarding the examiner's analysis, findings and conclusions as to Defendant's mental health condition, diagnosis, and prognosis. The report shall be filed with the Court and furnished to defense counsel, Penny Beardslee of the Federal Defender Office, the attorney for the government, John O'Brien, and Probation Officer Robin Johnson.

S/Patrick J. Duggan
Patrick J. Duggan
United States District Judge

Dated: October 20, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 20, 2008, by electronic and/or ordinary mail.

S/Marilyn Orem
Case Manager